



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JEA
F.#2018R02232

*271 Cadman Plaza East
Brooklyn, New York 11201*

August 19, 2022

By ECF

The Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jacob Daskal
Criminal Docket No. 21-110 (NGG)

Dear Judge Garaufis:

The government respectfully submits this letter in response to the Court's August 5, 2022 Order directing the parties to submit objections, if any, to empaneling a vaccinated jury. The government takes no position as to whether jurors should be asked about their vaccination status. Pursuant to Fed. R. Crim. P. 24(a), questioning prospective jurors about such matters is within the district court's discretion. Should the Court determine to do so and exclude unvaccinated potential jurors, however, the government respectfully submits that the Court should explain on the record the basis for such exclusions, consistent with the provision of 28 U.S.C. 1866(c).

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/
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cc: Clerk of Court (NGG) (by ECF)
Defense counsel (by ECF)